

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

A25
Harry
Aug. 25, 01

In re Application of: William J. Rea, MD, et al

Attorney Docket: 16715/CPA2

Serial No.: 08/902,692

Art Group Unit: 1644

Filed: July 30, 1997

Examiner: Schwardon, R., Ph.D.

For: **AUTOGENOUS LYMPHATIC FACTOR FOR
MODIFICATION OF T AND B LYMPHOCYTE PARAMETERS**

RESPONSE TO OFFICE ACTION

RECEIVED

Assistant Commissioner of Patents
Washington, D.C. 20231

AUG 21 2001
TECH CENTER 1600/2900

Sir:

This is a response to the Office Action dated June 15, 2001. Applicants appreciate the Examiner's granting this opportunity to correct any deficiency in their prior Response filed on March 29, 2001.

As a preliminary matter, and as suggested by the Examiner in the previous Office Action mailed September 29, 2000, Applicants have requested an expert in the field of the invention to review the application for the purpose of submitting additional evidence in the record in support of Applicants' prior Response. Submitted herewith is the Declaration of Vernon E. Scholes, Ph.D.

As a further supplement to their prior Response, Applicants specifically respond to the rejections of Claims 64-65 under 35 U.S.C. 112, second paragraph, which rejection was set forth in the previous Office Action mailed September 29, 2000. Applicants respectfully traverse the rejection because they believe that the use of the phrase "normal T and B lymphocytes" in the Claims is clear in the context of how the term was used in the specification. On this particular issue, Applicants respectfully direct the Examiner's attention to the Declaration of Vernon Scholes, at pages 2-3.

Reconsideration and allowance of pending Claims 49-66 is respectfully requested. If a telephone call would help the prosecution of the application, the undersigned can normally be reached at the number below.

DATED: August 14, 2001

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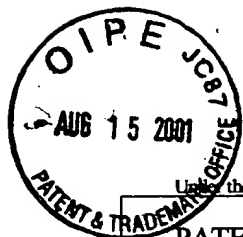
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Respectfully submitted,



Todd E. Albanesi, Reg. 36,426
CRUTSINGER & BOOTH
1601 Elm Street, Suite 1950
Dallas, Texas 75201-4744
(214) 220-0444; Fax (214) 220-0445

Attorneys for Applicants



PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

16715CPA

CLAIMS AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	* 0
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	* 0
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))		

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	FEE
	\$ _____
x \$ _____ =	0
x _____ =	0
+ _____ =	
TOTAL	0

RATE	FEE
	\$ _____
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)	
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR
				PRESENT EXTRA
	Total (37 CFR 1.16(c))	*	Minus	**
	Independent (37 CFR 1.16(b))	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY

OR

OTHER THAN
SMALL ENTITY

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

	(Column 1)	(Column 2)	(Column 3)	
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR
				PRESENT EXTRA
	Total (37 CFR 1.16(c))	*	Minus	**
	Independent (37 CFR 1.16(b))	*	Minus	***
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

TOTAL

OR

TOTAL

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

	(Column 1)	(Column 2)	(Column 3)	
AMENDMENT C		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR
				PRESENT EXTRA
	Total (37 CFR 1.16(c))	* 18	Minus	** 20
	Independent (37 CFR 1.16(b))	* 3	Minus	*** 3
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

TOTAL

OR

TOTAL

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

RATE	ADDI- TIONAL FEE
x \$ _____ =	
x _____ =	
+ _____ =	
TOTAL	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

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